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Dated: July 13, 2005

Signature: (Phillip R. Cockings)

Docket No.: SONYJP 3.0-154  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yoshiyasu Kubota

Application No.: 09/834,025

Filed: April 12, 2001

For: CONTROL METHOD AND ELECTRONIC  
DEVICE ENABLING RECOGNITION  
OFFUNCTIONS INSTALLEDIN THE  
ELECTRONIC DEVICE

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: Examiner: J. D. Schneider  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL AMENDMENT AND REPLY TO ADVISORY ACTION

Dear Sir:

The present communication is responsive to the Official Action mailed January 13, 2005, ("Official Action") finally rejecting all the claims currently pending in the application, namely, claims 1-7 and 10-19 and the Advisory Action mailed June 27, 2005 ("Advisory Action"). In that regard, this communication supplements applicant's Amendment filed on June 13, 2005 and addresses the concerns raised by the Examiner in the Advisory Action.

In addition, applicant is filing concurrently herewith a Request for Continuing Examination. Applicant respectfully requests reconsideration of the claims of record and the

Amendment filed on June 13, 2005, in view of the additional remarks set forth below.

Applicant notes with appreciation the comments the Examiner made in the Continuation Sheet accompanying the Advisory Action. Applicant respectfully believes that those comments are very helpful in narrowing the issues that remain in the application and clearly identify the Examiner's concerns. Applicant respectfully believes the following additional remarks address the Examiner's concerns. If, however, the following remarks do not fully address such concerns and the Examiner still does not find applicant's arguments persuasive, applicant then respectfully requests an interview with the Examiner to address any remaining concerns. Applicant also respectfully requests that such an interview take place before the issuance of another Office Action.

In the Advisory Action, the Examiner states that "applicant has pointed blankly to paragraphs 0028-0031 of the specification. The claim language of the last limitation found in the last three lines of the specification still has not been found. There is nothing in the specification that indicates that the requested function can be changed if the code of the function written into the write area is the same as the code of the function read from the read area. Therefore, until the applicant can clearly point out where in the specification teaches that the read code and the written code are found to be the same, this rejection as well as the rejection under 35 USC 112 will not be withdrawn." (Advisory Action at 2.)

In that regard, in the Official Action, the Examiner rejected claim 6 under 35 U.S.C. §112, first paragraph, as "failing to comply with the enablement requirement" because "[t]here is nothing in the specification that teaches changing a requested function in the code in the read and write area of the register matches." (Official Action at 2.) The Examiner also

rejected claim 6 under 35 U.S.C. §112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." (*Id.*) In particular, the Examiner did not understand what is meant by "changing the code of a requested function when the code in the read and write area matches." (*Id.*)

Applicant respectfully submits that paragraphs 0028-0031 when considered with paragraphs 0050 and 0051 more clearly teach the function and support the claim language rejected by the Examiner under 35 U.S.C. §112.

In particular, paragraph 0028 states that in "order for the main unit 100 to change a function to be executed by the electronic device 200, the code (category number) of a desired function is written in the write register at the address '06'." In continuing this description, paragraph 0030 states the "code (category number) of the function to be executed by the electronic device 200 is read in the read register at the address '06' . . . . The main unit 100 determines the category number and the class number and therefore recognizes the function to be executed by the electronic device 200." Thus, in the process of changing a function to be executed, codes are placed in the write and read registers at address '06' and the main unit 100 determines the category number or function code.

Paragraph 0031 then states:

In this way, the code (category number) of the desired function is written by the main unit 100 in the write register at the address "06", and hence the function to be executed by the electronic device 200 is changed. The code (category number) of the function to be executed by the electronic device 200 is read in the read register at the address "06", and hence the function to be executed by the electronic device 200 is recognized by the main unit 100. Thus, the changing of the function is smoothly performed.

Taken together, the foregoing disclosures of paragraphs 0028, 0030 and 0031 teach that changing of a function "is smoothly performed" when the main unit determines the category number in the read area and recognizes the function to be executed.

As alluded to by the Examiner, the foregoing paragraphs are not as clear in describing how the main unit makes the determination and recognizes the function to be executed. Paragraphs 0050 and 0051, however, provide a clear and pertinent description of this process.

In relevant part, paragraph 0050 states "In other words, the main unit 100 checks a recognized function installed in the electronic device 200 with a function of the main unit and determines that only matching functions are executable." Paragraph 0051, in relevant part, then states:

The functions installed in the electronic device 200 can be recognized by having the main unit 100 write the category numbers included in the main unit 100 one by one in the write register at the address "06". A determination is then made as to whether the same category number is returned to the read register at the address "06". If the determination is affirmative, it is determined that the function is installed in the electronic device 200.

Thus, paragraph 0050 states that the main unit checks a function installed in the electronic device against a function of the main unit and determines that only matching functions are executable. Paragraph 0051, in describing how the main unit makes such a determination, then states that the main unit 100 writes the category numbers included in the main unit in the address '06' of the write register. (Note, category numbers and the code of function are used interchangeably throughout the specification; see, for example, paragraph 0030.) Paragraph 0051 further states that the main unit determines whether the "same category number is returned to the read register at

address '06'." The "same category number" refers to the "category numbers" written by the main unit in the write register at address 06. Thus, the main unit determines whether the category numbers or function code in the write area at address '06' is the same as the category number in the read area at address '06'. In other words, the main unit determines whether the function codes match. Paragraph 0051 then states: "If the determination is affirmative, it is determined that the function is installed in the electronic device 200."

In sum, paragraphs 0028, 0030 and 0031 teach that changing of a function "is smoothly performed" when the main unit determines the category number in the read area and recognizes the function to be executed. Paragraphs 0050 and 0051 teach that the main unit makes its determination based on whether the category numbers or function code in the write area, at address '06' is the same as (or matches) the category number in the read area at address '06'. If the main unit determines that there is a match, then the function is changed (per paragraph 0028) and installed (per paragraph 0051) in the electronic device. If the codes do not match, the function is not changed and executed. (Specification at 0035-0036.)

In view of the foregoing, applicant respectfully submits that the specification teaches changing a requested function if the code in the read and write area of the register matches. Applicant also respectfully submits that the claims particularly point out and distinctly claim this subject matter. Further, as the specification makes clear, when the codes in the read and write area matches the function may then be changed and executed. Thus, applicant respectfully submits that the claims meet all the requirements of 35 U.S.C. §112.

In the Advisory Action, the Examiner also stated that "The Applicant's argument is based on the fact that the IC card of Richards does carries out the execution of the function

processing, and not the main unit. It is clear from the specification that the IC card, or electronic device, of the specification also carries out the execution of the function (see paragraphs 0006 and 0031). It is up to the main unit only to recognize the function to be executed by the IC card in order to prevent errors. This is also what Richards teaches." (Advisory Action at 2.)

Although applicant agrees with the Examiner as to the teachings of *Richards* and that paragraphs 0006 and 0031 of the specification teach that the electronic device carries out execution of the function, applicant still respectfully submits that the claims are neither anticipated by nor rendered obvious over *Richards*.

Claim 1, for example, recites that the main unit controls "execution of the requested function." Applicant respectfully submits that *Richards* teaches that the electronic device controls execution of a requested function. In particular, *Richards* teaches that the operating system on the IC card or electronic device controls the operations of the IC card. (*Richards*, col. 6, lns. 38-42.) More specifically, in *Richards*, the integrated circuit 12 on the IC card 10 controls the operations of the IC card. (*Id.*, lns. 43-45.) As part of controlling those operations, the integrated circuit 12 also controls execution of the shell applications on the IC card. (*Id.*, col. 7, lns. 1-3.) Thus, by *Richards*' disclosure, the IC card controls processing and ensures interoperability, not the terminal or main unit. *Richards*' terminal is not disclosed as controlling what functions are installed or processed on the IC card or electronic devices.

In contrast, claims 1, 6, 11 and 16 recite that the main unit controls processing by determining or recognizing the function to be installed based on the codes read and write areas of a register. Thus, even though paragraphs 0006 and 0031 teach

that the functions are executed on the electronic devices, the claims are directed to a different aspect of the invention, which as discussed above is clearly supported by the specification. In that regard, the claimed invention is not taught or suggested by *Richards* because, in the claims, the main unit (and not the electronic device) controls processing and installation whereas *Richards* teaches that the electronic device (and not the main unit) controls processing and installation.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the pending rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: July 13, 2005

Respectfully submitted,

By 

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